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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,562	07/16/2003	Hideki Kurokawa	8031-1026	7117

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EXAMINER	
LEE, BETTY E	
ART UNIT	PAPER NUMBER
2616	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/619,562	KUROKAWA, HIDEKI	
	Examiner	Art Unit	
	Betty Lee	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 27 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 27 claims a program "where said program causes a computer to execute" several processes. Functional descriptive language such as a computer program must be stored on a computer readable medium. It is suggested that Applicant change claim 27 to a "computer readable medium encoded with a computer program, software, computer executable instructions, or instructions capable of being executed by a computer".

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1, 2, 8, 9, 20, 21, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Punjabi (US 2003/0231618) in view of Mansfield (US 6,882,714).

For claims 1, 9, 20, and 27, Punjabi teaches means for sending and receiving a call control message between each of the various device terminals and the control unit (see Fig. 1 box 108; The control unit/gatekeeper handles call control messages for call setup and call signaling); a storage device for storing information on the call control message (see Fig. 2 box 2004; The gatekeeper has a database for storing information such as a corporate directory.); and means for, when each of the various device terminals registers information with the control unit, transmitting the information already registered with the storage device to each of the various device terminals (see paragraph 26 lines 4-7; The endpoint registers with the gatekeeper when it turns on and then requests the information stored in the storage device/database.). Punjabi teaches all the subject matter of the claimed invention with the exception of storing time information with the call control message.

Mansfield from the same or similar field of endeavor teaches storing a call control message with time information (see col. 4 lines 1-7; A call control message is sent to initiate a phone call. The time that the phone call is initiated is recorded as the call time.). Thus, it would have been obvious to one of ordinary skill in the art to record the

time information of a call control message. The time information as taught by Mansfield can be modified/implemented into the system of Punjabi by recording the time of the call intiations by the gatekeeper as taught by Punjabi. The motivation for recording the time of the call initiations is to allow the system to track the duration of a call.

For claims 2 and 21, Punjabi teaches the various device terminals including at least one of an IP (Internet Protocol) telephone and an information processing apparatus having IP telephone software connected to an LAN (Local Area Network) line respectively (see Fig. 1 Telephone; Two telephones in Figure 1 are connected to a LAN line.); and the control unit is a call connection control server for making a call connection on the call origination and call termination by each of the various device terminals (see Fig. 2 Box 2000; The Gatekeeper has a controller for controlling call setup and signaling.). Punjabi teaches all the subject matter of the claimed invention with the exception of a wireless LAN telephone terminal.

Mansfield teaches a wireless LAN telephone terminal apparatus capable of making voice communication with them by connecting to a wireless LAN line (see col. 3 lines 51-57; The endpoint devices can be telephones, which may be wired or wireless devices.). Thus, it would be obvious to one of ordinary skill in the art to use the system as taught by Mansfield in the system of Punjabi. The system of Mansfield can be modified/implemented in the system of Punjabi by making the telephones wireless. The motivation for using a wireless device in the system of Punjabi is to allow the user the flexibility of making calls from anywhere within the serviceable area.

For claim 8 and 26, Punjabi teaches where the control unit is a private branch exchange for making a call connection on call origination and call termination by each of said various device terminals (see paragraph 3 lines 4-8; Gatekeepers function as private branch exchanges.) and endpoints are IP telephones or personal computers having IP telephony capability (see paragraph 3 lines 4-6).

Mansfield teaches that the endpoints of a network are telephones, multifunction peripherals, video telephones, or computers, which can be connected by wired or wireless means (see Mansfield col. 3 lines 52-57). Thus, it would have been obvious to one of ordinary skill to use the system of Mansfield can be modified/implemented into the system of Punjabi by connecting the endpoints as taught by Mansfield to the gatekeeper of Punjabi. The motivation for using the system of Mansfield in the system of Punjabi is to record the call logs on a wireless device or a multifunctional device, i.e. a fax machine.

5. Claim 3, 6, 7, 10, 13, 22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Punjabi (US 2003/0231618) in view of Mansfield (US 6,882,714) as applied to claim 2, 9, and 21 above, and further in view of Lapeze et al. (US 2004/0176973).

For claims 3, 10 and 22, Punjabi in view of Mansfield teach all the subject matter of the claimed invention with the exception of storing the log in the wireless terminal when it is located in an external network. Lapeze et al. teach history information on call

origination and call termination in the external network is stored in an storage area inside the wireless terminal apparatus (see paragraph 10 lines 1-9; The logs can be stored in the wireless device); and when the wireless LAN telephone terminal apparatus registers its location with a network to which one of the IP telephone and the information processing apparatus belongs, the information stored in the storage area inside the wireless LAN telephone terminal apparatus is transmitted to the storage device (see paragraph 10 lines 1-9; When a connection is established with the server, the remote device can reconcile the differences between the its data set and the primary data set on the server.).

Thus, it would have been obvious to one of ordinary skill in the art to use the system as taught by Lapeze in the system of Punjabi in view of Mansfield. The system as taught by Lapeze can be modified/implemented into the of Punjabi in view of Mansfield by having the wireless LAN telephone terminal apparatus store the log within itself much like the wireless device as taught by Lapeze. Once a connection can be established with the primary data set located in the gatekeeper of Punjabi, the two data files can be synchronized by reconciling the differences between them. The motivation for using the system of Lapeze in the system of Punjabi in view of Mansfield is to enable the ability to track all telephonic activity within a single log at a particular location. When a user is making a call outside of the particular location, the telephone log cannot be updated, so the data is stored within the mobile device. This data is later used to update the single telephone log.

For claims 6, 13, and 25, Punjabi teaches where the storage device is connected to the call connection control server (see Fig. 2 box 2004; The database is located in the gatekeeper/control server.). Punjabi in view of Mansfield teaches all the subject matter of the claimed invention with the exception of the storage device being external.

Lapeze teaches the database being an external device connected to the server (see Figure 1 boxes 12 and 22). Thus, it would have been obvious to one of ordinary skill in the art to make the database external as taught by Lapeze. The database as taught by Lapeze can be modified/implemented into the system of Punjabi in view of Mansfield by making the database shown in Fig. 2 of Punjabi an external device. The motivation for making the database an external device is for it to be easily replaceable in the event of a device failure.

For claim 7, Punjabi in view of Mansfield teaches all the subject matter of the claimed invention with the exception of the wireless LAN telephone and the information processing apparatus mutually giving and receiving peer-to-peer information. Lapeze teaches a wireless device and information processing apparatus mutually giving and receiving peer-to-peer information (see paragraph 10 lines 5-9; The primary data set located in the information processing apparatus is updated by reconciling the difference between it and the remote data set located in the mobile device.).

Thus, it would have been obvious to one of ordinary skill in the art to use the update method as taught by Lapeze in the system of Punjabi in view of Mansfield. The method of updating two data sets as taught by Lapeze can be modified/implemented

into the system of Punjabi by checking for the differences between the primary data set and the remote data set instead of replacing the remote data set with a copy of the primary data set. The motivation to use the update method as taught by Lapeze in the system of Punjabi in view of Mansfield is that the data stored in the wireless device may be more recent than the data in the information processing apparatus. Copying the file from the database would erase the more recent data. Thus, updating only the differences between the two sets of data produces a more accurate and complete data set.

6. Claims 4, 5, 11, 12, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Punjabi (US 2003/0231618) in view of Mansfield (US 6,882,714) as applied to claim 2 above, and further in view of Beyda et al. (US 2003/0233417) in view of Kapell et al. (US 2003/0110164).

For claims 4, 5, 11, 12, 23, and 24, Punjabi in view of Mansfield teach the wireless LAN telephone terminal registered in the network (see Mansfield col. 3 lines 55-57; wireless devices can be connected in the system as endpoints.). Punjabi in view of Mansfield teach all the subject matter of the claimed invention with the exception of the telephone terminal apparatus sharing call control and line information with one of the IP telephone and the information processing apparatus.

Beyda et al. teach the IP telephone and the information processing apparatus (see Fig. 1 box 122; A telephone is coupled to a computer running a telephony program over a LAN network.) and the call control and line information are transmitted from the

call connection control server to the wireless LAN telephone apparatus (see Fig. 1 Box 112 and Box 110; The wireless LAN telephone makes a VoIP call by connecting with the VoIP server/call control server.). Thus, it would have been obvious to one of ordinary skill in the art to use the IP telephone and information processing apparatus and call control system of Beyda in the system of Punjabi in view of Mansfield. The system of Beyda can be modified/implemented into the system of Punjabi in view of Mansfield by connecting the apparatus shown in Fig. 1 Box 122 of Beyda in the voice over IP system of Punjabi and by sending the call control messages from the gatekeeper of Punjabi to the wireless LAN telephone of Beyda. The motivation for adding the computer coupled with a telephone and wireless LAN telephone as taught by Beyda into the system of Punjabi in view of Mansfield is to allow the user to have more control over the call and the user can access call information locally without having to connect to a central server. This system allows a shorter access time to call information and allows the user to dial a contact from information stored locally on the computer and allows the user the freedom to make calls from anywhere in the area serviceable by the base station. Punjabi in view of Mansfield further in view of Beyda teach all the subject matter of the claimed invention with the exception of the telephone and computer sharing call control and line information.

Kapell et al. teach the telephone terminal apparatus sharing call control and line information (see paragraph 22 lines 3-11; A call center system is a program running on a computer that records data on incoming and outgoing calls.). Thus, it would have been obvious to one of ordinary skill in the art to use the system of Kapell in the system

of Beyda. The system of Kapell can be modified/implemented into the system of Beyda by implementing the software as taught by Kapell in the computer of Beyda. The motivation for implementing the software as taught by Kapell on the computer of Beyda is give the computer the ability to record the call activity of the phone that is coupled to it.

7. Claims 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Punjabi (US 2003/0231618) in view of Mansfield (US 6,882,714) further in view of Beyda et al. (US 2003/0223417).

For claim 14, Punjabi teaches means for sending and receiving a call control message to and from a call connection control server for making a call connection on call origination and call termination by at least one of said IP telephone and said information processing apparatus (see Fig. 1 box 108; The control unit/gatekeeper handles call control messages for call setup and call signaling); and means for, when each of the various device terminals registers information with the control unit, transmitting the information already registered with the storage device to each of the various device terminals (see paragraph 26 lines 4-7; The endpoint registers with the gatekeeper when it turns on and then requests the information stored in the storage device/database.). Punjabi teaches all the subject matter of the claimed invention with the exception of storing time information with the call control message and a wireless LAN telephone terminal.

Mansfield teaches storing a call control message with time information (see col. 4 lines 1-7; A call control message is sent to initiate a phone call. The time that the phone call is initiated is recorded as the call time.). Thus, it would have been obvious to one of ordinary skill in the art to record the time information of a call control message. The time information as taught by Mansfield can be modified/implemented into the system of Punjabi by recording the time of the call intiations by the gatekeeper as taught by Punjabi. The motivation for recording the time of the call initiations is to allow the system to track the duration of a call.

Beyda et al. teaches a wireless LAN telephone terminal capable of making voice communication by connecting via a wireless LAN (see Fig. 1 Box 112) to at least one of an IP (Internet Protocol) telephone (see Fig. 1 Box 124) and an information processing apparatus having IP telephone software connected to an LAN (Local Area Network) line (see Fig. 1 Box 120). Thus, it would have been obvious to one of ordinary skill in the art to use the wireless LAN telephone, IP telephone, and information processing apparatus as taught by Beyda in the system of Punjabi in view of Mansfield. The system of Beyda can be modified/implemented into the system of Punjabi in view of Mansfield by adding the wireless LAN telephone, IP telephone, and information processing terminal as taught by Beyda to the LAN line of Punjabi. The motivation for using the system of Beyda in the system of Punjabi in view of Mansfield is to allow the user the flexibility of making calls from anywhere within the serviceable area and to give the computer the functionality to make voice calls over the LAN so that a special LAN phone does not need to be purchased.

8. Claims 15, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Punjabi (US 2003/0231618) in view of Mansfield (US 6,882,714) further in view of Beyda et al. (US 2003/0223417) as applied to claim14 above, and further in view of Lapeze (US 2004/0176973).

For claim 15, Punjabi in view of Mansfield further in view of Beyda teach all the subject matter of the claimed invention with the exception of storing the log in the wireless terminal when it is located in an external network. Lapeze et al. teach history information on call origination and call termination in the external network is stored in an storage area inside the wireless terminal apparatus (see paragraph 10 lines 1-9; The logs can be stored in the wireless device); and when the wireless LAN telephone terminal apparatus registers its location with a network to which one of the IP telephone and the information processing apparatus belongs, the information stored in the storage area inside the wireless LAN telephone terminal apparatus is transmitted to the storage device (see paragraph 10 lines 1-9; When a connection is established with the server, the remote device can reconcile the differences between the its data set and the primary data set on the server.).

Thus, it would have been obvious to one of ordinary skill in the art to use the system as taught by Lapeze in the system of Punjabi in view of Mansfield Beyda. The system as taught by Lapeze can be modified/implemented into the of Punjabi in view of Mansfield further in view of Beyda by having the wireless LAN telephone terminal apparatus store the log within itself much like the wireless device as taught by Lapeze.

Once a connection can be established with the primary data set located in the gatekeeper of Punjabi, the two data files can be synchronized by reconciling the differences between them. The motivation for using the system of Lapeze in the system of Punjabi in view of Mansfield is to enable the ability to track all telephonic activity within a single log at a particular location. When a user is making a call outside of the particular location, the telephone log cannot be updated, so the data is stored within the mobile device. This data is later used to update the single telephone log.

For claim 18, Punjabi teaches where the storage device is connected to the call connection control server (see Fig. 2 box 2004; The database is located in the gatekeeper/control server.). Punjabi in view of Beyda further in view of Mansfield teaches all the subject matter of the claimed invention with the exception of the storage device being external.

Lapeze teaches the database being an external device connected to the server (see Figure 1 boxes 12 and 22). Thus, it would have been obvious to one of ordinary skill in the art to make the database external as taught by Lapeze. The database as taught by Lapeze can be modified/implemented into the system of Punjabi in view of Beyda further in view of Mansfield by making the database shown in Fig. 2 of Punjabi an external device. The motivation for making the database an external device is for it to be easily replaceable in the event of a device failure.

For claim 19, Punjabi in view of Beyda further in view of Mansfield teaches all the subject matter of the claimed invention with the exception of the wireless LAN telephone and the information processing apparatus mutually giving and receiving peer-to-peer information. Lapeze teaches a wireless device and information processing apparatus mutually giving and receiving peer-to-peer information (see paragraph 10 lines 5-9; The primary data set located in the information processing apparatus is updated by reconciling the difference between it and the remote data set located in the mobile device.).

Thus, it would have been obvious to one of ordinary skill in the art to use the update method as taught by Lapeze in the system of Punjabi in view of Beyda further in view of Mansfield. The method of updating two data sets as taught by Lapeze can be modified/implemented into the system of Punjabi by checking for the differences between the primary data set and the remote data set instead of replacing the remote data set with a copy of the primary data set. The motivation to use the update method as taught by Lapeze in the system of Punjabi in view of Beyda further in view of Mansfield is that the data stored in the wireless device may be more recent than the data in the information processing apparatus. Copying the file from the database would erase the more recent data. Thus, updating only the differences between the two sets of data produces a more accurate and complete data set.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Punjabi (US 2003/0231618) in view of Mansfield (US 6,882,714) further in view of Beyda et al.

(US 2003/0233417) as applied to claim 14 above, and further in view of Kapell et al. (US 2003/0110164).

For claim 16, Punjabi in view of Mansfield further in view of Beyda teach the wireless LAN telephone terminal registered in the network (see Beyda Fig. 1 Box 112). Punjabi in view of Mansfield further in view of Beyda teach all the subject matter of the claimed invention with the exception of the telephone terminal apparatus sharing call control and line information with one of the IP telephone and the information processing apparatus.

Kapell et al. teach the telephone terminal apparatus sharing call control and line information (see paragraph 22 lines 3-11; A call center system is a program running on a computer that records data on incoming and outgoing calls.). Thus, it would have been obvious to one of ordinary skill in the art to use the system of Kapell in the system of Punjabi in view of Mansfield further in view of Beyda. The system of Kapell can be modified/implemented into the system of Punjabi in view of Mansfield further in view of Beyda by implementing the software as taught by Kapell in the computer of Beyda. The motivation for implementing the software as taught by Kapell on the computer of Beyda is give the computer the ability to record the call activity of the phone that is coupled to it.

10. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Punjabi (US 2003/0231618) in view of Mansfield (US 6,882,714) in view of Beyda et al. (US

2003/0233417) further in view of Kapell et al. (US 2003/0110164) as applied to claim*** above, and further in view of Lapeze et al. (US 2004/0176973).

For claim 17, Punjabi in view of Mansfield in view of Beyda further in view of Kapell teach all the subject matter of the claimed in invention with the exception of storing call control and line information in the internal storage area. Lapeze teaches storing call control and line information in the internal storage area of a mobile device (see paragraph 10 lines 1-9). Thus, it would have been obvious to one of ordinary skill in the art to use the system of Lapeze in the system of Punjabi in view of Mansfield in view of Beyda further in view of Kapell. The system of Lapeze can be implemented into the system of Punjabi in view of Mansifled in view of Beyda further in view of Kapell by having the mobile device store its data within the its storage unit. The motivation for using the system of Lapeze in the system of Punjabi in view of Mansfield in view of Beyda further in view of Kapell is to enable the ability to track all telephonic activity within a single log at a particular location. When a user is making a call outside of the particular location, the telephone log cannot be updated, so the data is stored within the mobile device. This data is later used to update the single telephone log.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Peng (US 2003/0152229) are all cited to show system which are considered pertinent to the claimed invention.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Betty Lee whose telephone number is (571) 270-1412. The examiner can normally be reached on Monday-Thursday 10-3 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BL

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